

## WILL WORKSHEET

### Privacy Act Statement

Individuals seeking legal assistance are requested to complete this worksheet. The information requested is voluntary. It will be used by the legal office staff to prepare your will and prepare statistical reports on the office caseload. This request is made pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101. Should you choose not to provide this information, this office may not be able to assist you.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

1. Your Name: \_\_\_\_\_  
(First) (Middle) (Maiden) (Last)

Are you: \_\_\_\_\_ Active duty \_\_\_\_\_ Retired \_\_\_\_\_ A reservist \_\_\_\_\_ A dependent

Spouse's Name: \_\_\_\_\_  
(First) (Middle) (Maiden) (Last)

Rate/Rank (or Sponsor's Rate/Rank): \_\_\_\_\_

Command (or Sponsor's Command): \_\_\_\_\_

Home Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

E-mail \_\_\_\_\_

2. Your Domicile State; that is, the state you consider your permanent home. It may or may not be your home of record. \_\_\_\_\_

State in which you are registered to vote: \_\_\_\_\_

State where you pay income taxes: \_\_\_\_\_

State where you are licensed to drive: \_\_\_\_\_

States where you own real estate: \_\_\_\_\_

3. Marital status:

Have you ever been married? \_\_\_\_ Yes / \_\_\_\_ No (If NO, then skip to Question 4 below.)

If you have been married:

Are you currently: \_\_\_\_ Married \_\_\_\_ Divorced \_\_\_\_ Widowed \_\_\_\_ Separated

How many times have you been married? \_\_\_\_\_

If you have been married more than once, please list the full names of your prior spouses and when, where, and how the marriage ended on the back of this sheet. (Ex: Jane Jones, divorce, Orange County, California, June 1998).

If you have an ex-spouse, are there any alimony or support obligations due after your death? (This would be stated in the divorce decree). \_\_\_\_ Yes / \_\_\_\_ No

4. How many natural children do you have? (You are the biological parent) \_\_\_\_\_

How many stepchildren do you have? \_\_\_\_\_

How many adopted children do you have? \_\_\_\_\_

Adopted children are treated as natural children by law; stepchildren are not. Do you want your will to state that stepchildren are to be treated under your will like natural born children? (In other words, inherit equally with your other children). Yes / No

Please identify your children on the following table. If additional space is required, please attach a separate sheet. You do not need to list stepchildren unless you plan to include them in your will as children.

Full Name of Child	Date of Birth	Age	Which marriage produced this child?	Identify child as: natural / adopted / stepchild

5. Federal estate taxes can take a tremendous amount out of an estate. For deaths in the year 1999, if your estate is larger than \$650,000, estate tax applies to any amount over \$650,000 and the tax rate starts at 37%! The excluded amount increases in the year 2000 to \$675,000; in the year 2002 to \$700,000; in the year 2004 to \$850,000; in the year 2005 to \$950,000; and in the year 2006 to \$1,000,000.

Calculate your estate value by adding the fair market value of all your assets, and then subtract any debts you may have. **YOU MUST INCLUDE ANY LIFE INSURANCE YOU HAVE, INCLUDING SGLI. If the value of your estate exceeds the amounts allowed tax-free above, the Staff Judge Advocate's office may not have the expertise required to draft your will.** You need to contact someone experienced and, preferably, certified in estate planning in your home state.

AFTER CALCULATING THE VALUE OF YOUR ESTATE, WILL YOUR ESTATE POSSIBLY OWE INHERITANCE TAX? Yes / No

6. If you own real estate, please list it below. (If not, then skip to Question 7 below.)

Location and Type (House, Lot, Farm)	Is it titled jointly with anyone?	Is it mortgaged?

7. Primary Beneficiary(ies): At the time of your death, who do you want to receive your property? You may list additional primary beneficiaries on the back of this page. (If married, usually your spouse.)

Name	Share (%)

If your spouse is your primary beneficiary but dies before you, do you want your property to go to your children? (Usually yes.) \_\_\_\_ Yes / \_\_\_\_ No

If any child predeceases you, are the other children to take their share or do you want your property to go to your grandchildren? (Usually the other children take the share.)

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If you have named more than one primary beneficiary, and one of them dies before you, do you want the others to take the deceased's share? (Usually yes.) Yes / No / Not Applicable

If you answered NO to the above question, to whom do you want the deceased's share to pass?

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8. Alternate Beneficiary(ies): If no one you have indicated above as primary beneficiaries (and none of your descendants, if they are indicated as alternates above) are alive when you die, is there anyone else to whom you want to leave your property? You may list additional alternate beneficiaries on the back of this page.

Name	Share (%)

If you named more than one alternate beneficiary, and one of them dies before you, do you want the surviving alternates to get the deceased's share? (Usually yes.)

If you answered NO to the above question, to whom do you want the deceased's share to pass?

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9. If you have personal items such as collectibles, jewelry, etc., that you want to leave to a particular person, the item(s) can be listed in the will. Most states allow separate lists to be

attached to the will, which is preferable to listing items in the will, as the list can be changed without the need for a new will. For states that don't allow separate lists there are two options. The executor will determine the distribution of assets of your estate (1st option). You may wish to communicate to him/her how certain assets are to be distributed. This is non-binding, but in many family situations it will work. If this worries you, the items will have to be listed individually (2nd option). List below a specific description of the item(s), and to whom it is to go.

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If you wish to make any specific cash gifts, list the amounts and to whom.

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10. If any of your beneficiaries are MINORS, they will receive your property at the age of 18. If you desire that they not receive the property until later in life, a trust must be established. For most estates, this is **not** an economical solution. If you wish that a trust be established, please indicate on the reverse at what age each beneficiary (by name) is to receive his or her property. Also indicate who will handle the trust funds (trustee) and an alternate trustee.
11. If any of your beneficiaries are MINORS, and a trust is not established, the child's guardian will have management of the child's inherited property until the age of 18. This frequently creates a problem when an ex-spouse is the child's guardian. If you wish someone else to manage the property, then we will use the Uniform Transfers to Minors Act to allow someone else to control the property. If this situation applies to you, and you wish to indicate someone other than the child's guardian to control his or her assets, then list a custodian and alternate custodian below. **Since your will does not affect insurance policies, such as SGLI, if you choose this option you should also consider the same for your insurance policies.** (Ask the attorney for instruction on insurance policies).

Custodian: \_\_\_\_\_

Alternate: \_\_\_\_\_

12. Executor/Personal Representative: This is the person appointed to carry out your directions in your will. He or she inventories and safeguards your property until the heirs receive it, hires the attorneys to settle the estate, and determines distribution of your assets (who

gets what). Indicate whom you wish appointed as your primary Executor/Personal Representative (usually your spouse). If your primary Executor/Personal Representative dies before you or is unable or unwilling to serve, indicate whom you wish appointed as an Alternate Executor.

Primary: \_\_\_\_\_

Alternate: \_\_\_\_\_

13. **Guardian/Tutor:** This person has legal responsibility for the care and management of a child until the child reaches the age of majority. If you have minor children, whom would you like to name as Guardian(s) of your minor child(ren)? This selection would only apply if something happened to both you and the other parent. Even if the children are in the custody of an ex-spouse, you should make your desires known here. (Florida law requires this person to be either a relative or a Florida resident). Please indicate a primary and alternate guardian, if desired.

Primary: \_\_\_\_\_

Alternate: \_\_\_\_\_

<b>OTHER RELATED DOCUMENTS WE RECOMMEND WITH YOUR WILL</b>
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**15. LIVING WILL**

A living will states that, in the event that you are being kept alive by artificial means and your doctors agree that you have no potential for further meaningful life, you would **NOT** want life support continued. Do you want a Living Will? \_\_\_\_ Yes / \_\_\_\_ No

**16. GENERAL POWER OF ATTORNEY (Triggered by disability)**

If you became disabled and unable to manage your own affairs, you may wish to designate someone to continue your affairs using a General Power of Attorney. This version of the General Power of Attorney is only effective if you become disabled and it does not expire. The alternative is having a court-ordered curator appointed, which can be time-consuming and expensive. If you wish to have this document created, please fill in information for an agent (usually your spouse) and an alternate, if you desire one.

First Agent's Name	Address
Alternate Agent's Name	Address

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**17. MEDICAL POWER OF ATTORNEY** (Triggered by disability)

This document is similar to the *General Power of Attorney* above, but deals with who can make your health care decisions when you are unable to do so. In an emergency, doctors will make decisions regarding life-threatening injuries. In other than an emergency situation, you may wish to identify whom you trust to make such decisions. If you wish to have this document created, please fill in information for an agent (usually your spouse) and an alternate, if you desire one.

First Agent's Name	Address	Home Phone	Work Phone
Alternate Agent's Name	Address	Home Phone	Work Phone